DOCUMENT RESUME

ED 328 612 TM 016 143

TITLE	S. 2034. A Bill To Authorize the Creation of a National Education Report Card To Be Published Annually To Measure Educational Achievement of Both Students and Schools and To Establish a National Council on Educational Goals, before the Senate. One Hundred-First Congress, Second Session.
INSTITUTION	Congress of the U.S., Washington, D.C. Senate.
PUB DATE	30 Jan 90
NOTE	13p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	*Academic Achievement; Data Collection; Educational Assessment; *Educational Legislation; Educational Objectives; Elementary Secondary Education; *Federal Legislation; National Surveys; Private Education; Public Education
IDENTIFIERS	Congress 101st; *National Report Card

ABSTRACT

A Bill (S. 2034) with a short title of the "National Education Report Card Act of 1990," was introduced in the Senate by Senators Bingaman, Mitchell, Kennedy, and Harkin. The contents of this Act include the following sections: findings, establishment, membership and appointments, functions, interim council report, annual report card, powers of the council, administrative provisions, and authorization of appropriations. The establishment of an independent council of respected, bipartisan, and diverse experts to study the nation's educational system was recommended. This council would have the power to make recommendations to the President and the Congress and to issue annual reports in the form of a national report card. Nine voting members and three ex officio non-voting members were proposed. The council's mandate would include: (1) compiling and analyzing existing information about educational achievement of students and schools in public and private education; (2) developing, monitoring, and reporting progress on a comprehensive set of attainable national educational goals; and (3) identifying gaps in existing data. An interim report should recommend goals to be achieved before the year 2000. The first report card would be due in 2 years, and annual reports would follow. Administrative provisions are described. The Bill was referred to the Committee on Labor and Human Relations. (SLD)

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101ST CONGRESS
2D SESSION

S. 2034

To authorize the creation of a National Education Report Card to be published annually to measure educational achievement of both students and schools and to establish a National Council on Educational Goals.

IN THE SENATE OF THE UNITED STATES

JANUARY 30 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN (for himself, Mr. MITCHELL, Mr. KENNEDY, and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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A BILL

To authorize the creation of a National Education Report Card to be published annually to measure educational achievement of both students and schools and to establish a National Council on Educational Goals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This bill may be cited as the "National Education Report Card Act of 1990".

SEC. 2. TABLE OF CONTENTS.

The contents of this Act are as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

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Sec. 3. Findings.
Sec. 4. Establishment.
Sec. .5. Membership and appointments.
Sec. 6. Functions.
Sec. 7. Interim Council report.
Sec. 8. Annual report card.
Sec. 9. Powers of the Council.
Sec. 10. Administrative provisions.
Sec. 11. Authorization of appropriations.

SEC. 3. FINDINGS.

The Congress finds that—

(1) the social well-being, economic stability, and national security of the United States depend upon a strong educational system that provides all citizens with the skills necessary to become active members of a productive workforce;

(2) despite the many reforms to our educational system that have been implemented since the National Commission on Excellence in Education declared our Nation "at risk" in 1983, the United States remains at risk of educational failure;

(3) United States children and youth are leaving school unprepared to participate productively in the workforce, such children suffer high rates of functional illiteracy, and such children often display a lack of understanding about this Nation and the world, in both an historical and futuristic context;

(4) United States students currently rank far below students of many other countries in educational

achievement, particularly in mathematics and the sciences;

(5) although States and localities bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness demands that educational achievement become a national priority;

(6) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to do so;

(7) to ensure that maximum returns are realized on local, State, and Federal investments in education, accurate and reliable mechanisms must be available to assess and monitor educational progress;

(8) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support those mechanisms, do not exist;

(9) there should be established an independent council of highly respected, bipartisan, diverse experts to study, make recommendations regarding, and periodically report on, the status of the Nation's educational assessment system; and

(10) the council described in paragraph (10) should have the authority to—

(A) make such recommendations as such council deems necessary to the President, the Congress, and the States, and

(B) issue annual reports in the form of a "national report card".

SEC. 4. ESTABLISHMENT.

There is established a National Council on Educational Goals (hereinafter referred to as the "Council").

SEC. 5. MEMBERSHIP AND APPOINTMENTS.

(a) COUNCIL MEMBERSHIP.—(1) The Council shall be composed of 3 ex officio, nonvoting members, and 9 voting members, as provided in this subsection.

(2) The individuals serving in the following positions shall be ex officio members of the Council while so serving:

(A) The Secretary of Education.

(B) The Chairperson of the National Governor's Association.

(C) The Chairman of the National Assessment Governing Board.

(3) The voting members shall be appointed by the President of the United States, in consultation and upon agreement with the National Governor's Association, from among distinguished individuals of diverse political views, who are widely recognized for their experience in, knowledge of, and commitment to, education and educational excellence.

(4) All appointments of voting members shall be subject to the advice and consent of the Senate.

(5) The Council shall have no more than 5 voting members of the same political party.

(6)(A) The members of the Council shall be appointed under subsection (a)(3) no later than 60 days after the date of enactment of this Act.

(B) The Council shall have its first meeting no later than 60 days after the date of enactment of this Act.

(b) TERMS OF APPOINTMENT.—(1) Except as provided in paragraph (2), members of the Council shall be appointed for terms of 6 years each.

(2) The members of the Council first appointed under subsection (a)(3) shall be divided into 3 classes consisting of 3 Council members per class. Members in the first class shall be appointed for a term of 2 years. Members in the second class shall be appointed for a term of 4 years. Members in the third class shall be appointed for a term of 6 years.

(3) Upon the expiration of each of the terms of members first appointed under subsection (a)(3), or upon any vacancy occurring before the expiration of a member's term, a new member shall be appointed by the majority vote of the remaining members of the Council, from among distinguished individuals of diverse political views, who are widely recog-

nized for their experience in, knowledge of, and commitment to, education and educational excellence.

(c) COMPENSATION AND TRAVEL.—Each member of the Council shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, when engaged in the performance of Council duties.

SEC. 6. FUNCTIONS.

(a) FUNCTIONS.—The Council shall—

(1) compile, inventory, and analyze existing information regarding the educational achievement of United States students and schools, including public and private elementary, secondary, and postsecondary schools.

(2) develop, monitor, and report progress on a comprehensive set of attainable, national goals that will help ensure excellence in education at all levels and, thereby guarantee the continued social well-being, economic stability and national security of the Nation in the 21st century; and

(3) through the interim Council report described in section 7 and the annual report card described in section 8, identify gaps in existing educational data and make recommendations for improvements in the methods and procedures of assessing attainment or realiza-

tion of goals by the Department of Education and any other Federal governmental entity, including suggestions for such changes in laws and regulations as may be required to improve the assessment process, procedures, and organization of the Federal Government.

(b) PERFORMANCE OF FUNCTIONS.—In carrying out the provisions of subsection (a)(2) the Council shall—

(1) consider the goals already set forth or recommended by the President, the National Governor's Association, and other governmental and nongovernmental organizations;

(2) encourage the States to—

(A) establish similar educational goals aimed at achieving or surpassing the national goals, and

(B) outline their assessment performance;

(3) report on the goals at the national level and for all States and compare the educational achievement of the United States with other nations; and

(4) consider all relevant data in at least the following areas:

(A) school readiness,

(B) student achievement in elementary, secondary, and postsecondary education,

(C) school performance, including—

(i) attendance and completion rates;

(ii) climate (vandalism, crime, and drugs);

(iii) teacher rewards (salary, conditions, and training);

(iv) parent participation; and

(v) school financing; and

(D) workforce literacy and skills.

SEC. 7. INTERIM COUNCIL REPORT.

Not later than 1 year after the Council concludes its first meeting of members, the Council shall submit a report to the President, the Congress, and the Governor of each State, that—

(1) recommends a comprehensive set of national educational goals to be achieved before the year 2000; and

(2) includes a series of reasonable steps for measuring the implementation and success of each recommendation of the Council.

SEC. 8. ANNUAL REPORT CARD.

(a) IN GENERAL.—Not later than 2 years after the Council concludes its first meeting of members, the Council shall submit to the President, the Congress and the Governor of each State a National Report Card, which—

(1) shall set forth an analysis of the Nation's progress toward achieving the Council's recommended goals; and

(2) may, as deemed necessary by the Council based on its findings and an analysis of the views and comments of all interested parties, including all relevant Federal entities, the National Governor's Association, the Congress, and private organizations and citizens—

(A) identify new educational goals,

(B) describe modifications to existing goals,

(C) identify continuing gaps in existing educational data, and

(D) make recommendations for further improvement in the methods and procedures of assessing attainment or realization of goals by the Department of Education and any other Federal governmental entity, including suggestions for such changes in laws and regulations as may be required to improve the assessment process, procedures, and organization of the Federal Government.

(b) CONTINUATION.—The Council shall continue to issue a National Report Card on an annual basis for the duration of the existence of the Council.

SEC. 9. POWERS OF THE COUNCIL.

(a) HEARINGS.—(1) The Council may, for the purpose of carrying out this Act, conduct such hearings, sit and act at such times and places, take such testimony and receive such evidence, as the Council considers appropriate.

(2) In carrying out this subsection the Council shall—

(A) conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the status and goals of the Nation's current educational system, the need to redefine and redirect educational goals, and methods that could be implemented to foster higher levels of educational attainment in our Nation's schools; and

(B) receive testimony from—

(i) individuals such as educators, business persons, elected and appointed public officials; and

(ii) representatives of public and private organizations and institutions with an expertise or interest in improving the quality of the Nation's educational system.

(b) INFORMATION.—The Council may secure directly from any Federal agency such information as may be necessary to enable the Council to carry out this Act. Upon request of the Chairman of the Council, the head of the agency shall furnish such information to the Council.

(c) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(d) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(e) ADMINISTRATIVE AND SUPPORT SERVICES.—The Administrator of General Services Administration shall provide to the Council on a reimbursable basis such administrative and support service as the Council may request.

SEC. 10. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairman or a majority of its members.

(b) QUORUM.—A majority of the voting members to the Council shall constitute a quorum for the transaction of business.

(c) COMMISSION STAFF.—(1) The Chairman and Vice Chairman of the Council shall be elected by and from the voting members of the Council and shall serve in their elected capacity until the expiration of their appointed terms as members, or until their resignation or removal by a majority of the voting members of the Council.

(2) The Chairman of the Council, in consultation with the Vice Chairman, shall appoint and fix the compensation of a staff administrator and such support personnel as may be reasonable and necessary to enable the Council to carry out its functions without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision of law, relating to the number, classification, and General Schedule rates.

(d) PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairman of the Council, the head of any Federal agency is authorized to detail, without reimbursement, any of the personnel of such agency to the Council to assist the Council in carrying out its duties under the Act. Such detail shall be without interruption or loss of civil service status or privilege.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

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